

Town of Cheswold
1856



State of Delaware
1787

TOWN of CHESWOLD
MINUTES of PUBLIC HEARING
Monday - December 5, 2022
691 Main Street
Cheswold, Delaware 19936
5:00 p.m.
ZOOM Teleconference
1-929-205-6099 Meeting ID: 9728359352#
<https://us02web.zoom.us/j/9728359252>

The meeting was called to order by Mayor Santo Faronea at 5:00 pm.

The Mayor requested all attendees to follow in the Pledge of Allegiance and a Moment of Silence and noted that meeting had been properly posted on November 9, 2022, in the newspaper and the agenda properly posted on November 28, 2022.

Ms. Camryn Tunnell, Administrative Clerk took a roll call of the Council and acknowledged that the following Council members were in attendance:

Mayor Santo Faronea - Present
Vice/Mayor - Michael Wysong - Present
Secretary/Treasurer Sam Callender- Present
Councilperson Judith Johnson - Present
Councilperson Maxwell Amoako - Present

In addition, the following persons were in attendance in person or via ZOOM as noted:

Town Attorney Max Walton - Connolly & Gallager - via ZOOM

Mr. Rodney Callender - Resident/Parkers Run - via ZOOM

Representing the Town of Cheswold:

Mr. Christopher Workman - Police Chief - Present

Mr. Michael Callender - Code Enforcement Officer

Ms. Camryn Tunnell - Administrative Clerk

The agenda was reviewed by the Council and attendees and as no questions were asked or suggestions for revisions made it was accepted as presented.

The Mayor requested Land Use Administrator Sam Callender to conduct the Public Hearing as required.

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Ms. Callender then provided a synopsis of the following information concerning Public Hearings:

- a. **Public Hearings in General** - A public hearing is also a public meeting, in that the hearing is subject to the State of Delaware Open Meetings Act, whereby the public is allowed to attend, view and participate in the meeting, in order to establish and maintain an environment of transparency.

The main purpose of most public hearings is to obtain public testimony or comment. A public hearing may occur as part of a regular or special meeting, or it may be the sole purpose of a special meeting, with no other matters addressed.

- b. **Conduct of 2022, Public Hearings** – General description of code of conduct on speaking at a Public Hearing including, presentation of name and address; time limit, (3 minutes); requirement to address the topic of the Hearing only and presentation of written documents to the Secretary prior to speaking.
- c. **Purpose of December 5, 2022, Public Hearing** – For the Town Council to sit and hear comments and opinions from any concerned party regarding the following Ordinances and to obtain public opinion and legislative fact finding. Per the Town Charter, the Council members shall not be bound in any way, to act in response to any information or comments offered at a Public Hearing.

Ordinances for Planning Commission Review:

- **08-29-22-067 Ordinance to Re-Zone Parcels with Outdated M-1 Designations to I-1, (*Industrial*) Designations Consistent with the Current Land Use Ordinance and the 2020 Comprehensive Plan**

Purpose: This Ordinance is in accordance with the Charter and the amendment of the current 2020 Comprehensive Plan of the Town of Cheswold and is intended to provide for the rezoning designations of Map ID's identified within the Ordinance, and located in the Central Delaware Business Park, from a M-1, (*Industrial*), zoning code to the specific designation of I-1, (*Light Industrial*), zoning code to comply with the rezoning designations currently applicable to the zoning codes of the Town's Land Use Ordinance.

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Ordinances for Planning Commission Review: *“continued”*

- **08-29-22-068 Ordinance to Re-Zone Parcels with Outdated M-1 Designations to I-2 (Industrial) Designations Consistent with the Current Land Use Ordinance and the 2020 Comprehensive Plan**

Purpose: This Ordinance is in accordance with the Charter and the amendment of the current 2020 Comprehensive Plan of the Town of Cheswold and is intended to provide for the rezoning designations of Map ID's identified within the Ordinance, and located in the Central Delaware Business Park, from a M-1, (*Industrial*), zoning code to the specific designation of I-2, (*Heavy Industrial*), zoning code to comply with the rezoning designations currently applicable to the zoning codes of the Town's Land Use Ordinance.

- **08-29-22-069 Ordinance to Re-Zone Parcels with Outdated M-1 Designations to C-2, (Commercial) Designations Consistent with the Current Land Use Ordinance and the 2020 Comprehensive Plan**

Purpose: This Ordinance is in accordance with the Charter and the amendment of the current 2020 Comprehensive Plan of the Town of Cheswold and is intended to provide for the rezoning designations of Map ID's identified within the Ordinance, and located in the Central Delaware Business Park, from a M-1, (*Industrial*), zoning code to the specific designation of C-2, (*Highway Commercial*), zoning code to comply with the rezoning designations currently applicable to the zoning codes of the Town's Land Use Ordinance.

- **08-29-22-070 Ordinance to Amend the Town of Cheswold Land Use Ordinance to Delete Section 16-6 in its Entirety**

Purpose: This Ordinance is in accordance with the Charter and the amendment of the current 2020 Comprehensive Plan of the Town of Cheswold and is intended to provide for the removal of Section 16-6 in its' entirety from the Town Land Use Ordinance which is no longer applicable due to the passage and approval of Ordinances 07-28-22-065 and 07-28-22-066

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MEETING OPENED for PUBLIC COMMENT:

After the introduction and purpose of the Ordinances were presented, Mayor Faronea opened the meeting to receive public comment.

PROPERTY OWNER COMMENTS:

There were no Property Owners in attendance, therefore no comments were presented.

Town Attorney Max Walton asked for an opportunity to provide a statement for any future potential legal purposes and provided the following information:

These Ordinances are all in conformance with the 2020 Comprehensive Plan amendment of the Town of Cheswold which has already been completed.

These particular amendments, (067; 068; 069 and 070), are required under State law because you have to re-zone within 18 months of the Comprehensive Plan approval and it took a little longer because of COVID-19, but no one should complain about, because the State just ultimately wants Towns to comply with the Code.

These Ordinances allow for among other things, health, safety, and welfare for the Town, adequate lighting and air and also they are permitted because of the Town of Cheswold victory in a court case called Central Delaware Business Park vs. Town of Cheswold.

ADIJOURNMENT

With no further questions or comments, Mayor Faronea asked for a motion of adjournment. Such motion was made at 5:16 p.m., by Secretary/Treasurer Callender with a second from Councilperson Johnson. A roll call vote adjourned the meeting.

Submitted by: Secretary/Treasurer Sam Callender – December 7, 2022